

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Petition of DALIA GENDER, as Trustee of
the Orly Genger1993 Trust Established on
Dec.13, 1993 by Arie Genger, grantor.

Case No. 19-cv-9365 (AKH)

Dalia Genger, trustee of the Orly Genger 1993
Trust,

Petitioner,

v.

Orly Genger, Arie Genger, Glenclova Investment
Company, TR Investors, LLC, New TR Equity I,
LLC, New TR Equity II, LLC, Trans-Resources,
Inc., Arnold Broser, David Broser, John Does 1-
20, and Jane Does 1-20,

Respondents.

N.Y. Cty. Surrogate's Court File
No.: 2008-0017/E

NOTICE OF MOTION TO REMAND

PLEASE TAKE NOTICE that Michael Oldner, in his capacity as the trustee of The Orly Genger 1993 Trust, by and through his counsel, will move this Court, the U.S. District Court for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007, at a time and date to be determined by the Court, for an Order remanding these proceedings back to the New York Surrogate's Court.

The Trustee's motion is based on the following grounds: (1) the mootness doctrine, i.e., a lack of standing by the former Chapter 7 Trustee Ron Satija to maintain this action; (2) mandatory abstention principles, pursuant to 28 U.S.C. § 1334(c)(2); and (3) discretionary abstention principles, pursuant to 28 U.S.C. § 1334(c)(1)).

This motion will be further based on this Notice, the Trustee's accompanying Memorandum of Law, the papers and briefs submitted in this action to date, including the

related case *Genger v. Genger et al.*, Case No. 1:19-cv-09319 (S.D.N.Y.) (AKH), and such other oral and documentary evidence that may later be submitted to this Court.

Dated: November 8, 2019
New York, NY

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